

FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 › MADISON, WI 53701 › (608) 256-8900 › WWW.FFRF.ORG

March 1, 2023

SENT VIA EMAIL & U.S. MAIL: Amy.Moore@mpls.k12.mn.us

Ms. Amy Moore
General Counsel
Minneapolis Public Schools
1250 Broadway St. W., Suite N2-240
Minneapolis, MN 55411

Re: Staff meeting in church

Dear Atty. Moore:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in the Minneapolis Public Schools (“the District”). As you may recall, FFRF is a national nonprofit organization with over 40,000 members across the country, including more than 900 members and a local chapter in Minnesota. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism. If you are no longer counsel for the District, please advise.

A concerned District employee reported that the District routinely holds its quarterly mandatory “all-staff” meetings for the community education program staff at Hennepin Avenue United Methodist Church. It is our understanding that the most recent all-staff meeting was held on February 21, 2023, and once again took place at the Church. Our complainant further reports that employees must walk through multiple rooms in the Church in order to reach the basement level where the meeting is held. Additionally, we are informed that employees are required to spend the full day in the Church as these meetings typically last six to eight hours. Our complainant states that being forced to enter a church is a deeply disturbing experience for them that they would not endure but for the mandatory nature of the all-staff meetings.

We write to request that the District cease hosting staff meetings and all other events in houses of worship.

Public schools may not show favoritism towards or coerce belief or participation in religion. *See generally, Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000); *Lee v. Weisman*, 505 U.S. 577 (1992); *Wallace v. Jaffree*, 472 U.S. 38 (1985); *Epperson v. Ark.*, 393 U.S. 97 (1967); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203 (1963); *Engel v. Vitale*, 370 U.S. 421 (1962). Other school districts that have used churches for District functions have had the practice struck down by the courts. *See Doe v. Elmbrook Sch. Dist.*, 687 F.3d 840 (7th Cir. 2012); *Does v. Enfield Pub. Sch.*, 716 F. Supp. 2d 172 (D. Conn. 2010); *Musgrove v. Sch. Bd. of Brevard Cnty.*, 608 F. Supp. 2d 1303 (M.D. Fla. 2005). Avoiding the use of religious facilities for any school-sponsored event, including staff meetings, is the safest way to avoid displaying favoritism towards religion or coercing District employees to enter a house of worship.

Requiring District employees, who may be of varying faiths or none at all, to enter a Christian house of worship for a quarterly staff meeting alienates non-Christians, including the almost thirty percent of the American population who are not religious.¹ Religion can be a divisive force and creates an unwelcoming environment for District employees who are uncomfortable being required to enter a house of worship in order to fulfill their duties as a public school employee.

In order to respect the District's obligation to maintain religious neutrality and to recognize District employees' First Amendment rights, we ask that the District provide a secular setting for all future staff meetings. All District employees deserve to feel welcome and comfortable when participating in the all-staff meeting. Please respond in writing with the steps the District is taking to remedy this violation and ensure it does not recur.

Sincerely,

A handwritten signature in black ink that reads "Samantha F. Lawrence". The signature is written in a cursive style with a large, looped initial "S".

Samantha F. Lawrence
Anne Nicol Gaylor Legal Fellow
Freedom From Religion Foundation

¹ Gregory A. Smith, *About Three-in-Ten U.S. Adults Are Now Religiously Unaffiliated*, Pew Research Center (Dec. 14, 2021), available at www.pewforum.org/2021/12/14/about-three-in-ten-u-s-adults-are-now-religiously-unaffiliated/.